
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 125

NATIONAL HEALTH SERVICE

The National Health Service (Optical Charges and Payments) (Scotland) Amendment Regulations 2023

<i>Made</i>	- - - -	<i>19th April 2023</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>21st April 2023</i>
<i>Coming into force</i>	- -	<i>1st June 2023</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 70(1), 73(a), 74(a) and 105(7) and paragraphs 2(2) and 2A of schedule 11 of the National Health Service (Scotland) Act 1978(1) and all other powers enabling them to do so.

(1) 1978 c. 29. Section 70(1) was amended by section 25 and schedule 3 of the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”). Section 105(7) was amended by paragraph 5(1) of schedule 6 and schedule 7 of the Health Services Act 1980 (c. 53) (“the 1980 Act”), paragraph 24 of schedule 9 of the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), and paragraph 60 of schedule 4 of the Health Act 1999 (c. 8) (“the 1999 Act”). Paragraph 2 of schedule 11 was amended by section 26 and schedule 5 of the 1980 Act, sections 1 and 24 and schedules 1 and 8 of the Health and Social Security Act 1984 (c. 48) (“the 1984 Act”) and sections 11 and 25 and schedules 2 and 3 of the 1988 Act. Paragraph 2A of schedule 11 was inserted by section 1 and schedule 1 of the 1984 Act and amended by section 13 of the 1988 Act and section 13 of the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13). Section 108(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. See section 66(1) of the 1999 Act in relation to any provision of that Act being taken to be a pre-commencement enactment within the meaning of the Scotland Act 1998 (c. 46) (“the 1998 Act”). The functions of the Secretary of State, insofar as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.